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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,555	05/19/2006	Yasuhiko Kasama	8075-1022	1490
466	7590	05/27/2009	EXAMINER	
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				2889
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/563,555	KASAMA ET AL.	
	Examiner	Art Unit	
	Zachary Snyder	2889	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 19 February 2009.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-53 is/are pending in the application.

4a) Of the above claim(s) 1-41 is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 42-53 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 19 February 2009 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) Notice of Informal Patent Application

6) Other: _____.

DETAILED ACTION

Response to Amendment

Receipt is acknowledged of applicant's amendment filed 2/19/2009. Claims 42-53 are pending and an action on the merits is as follows.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

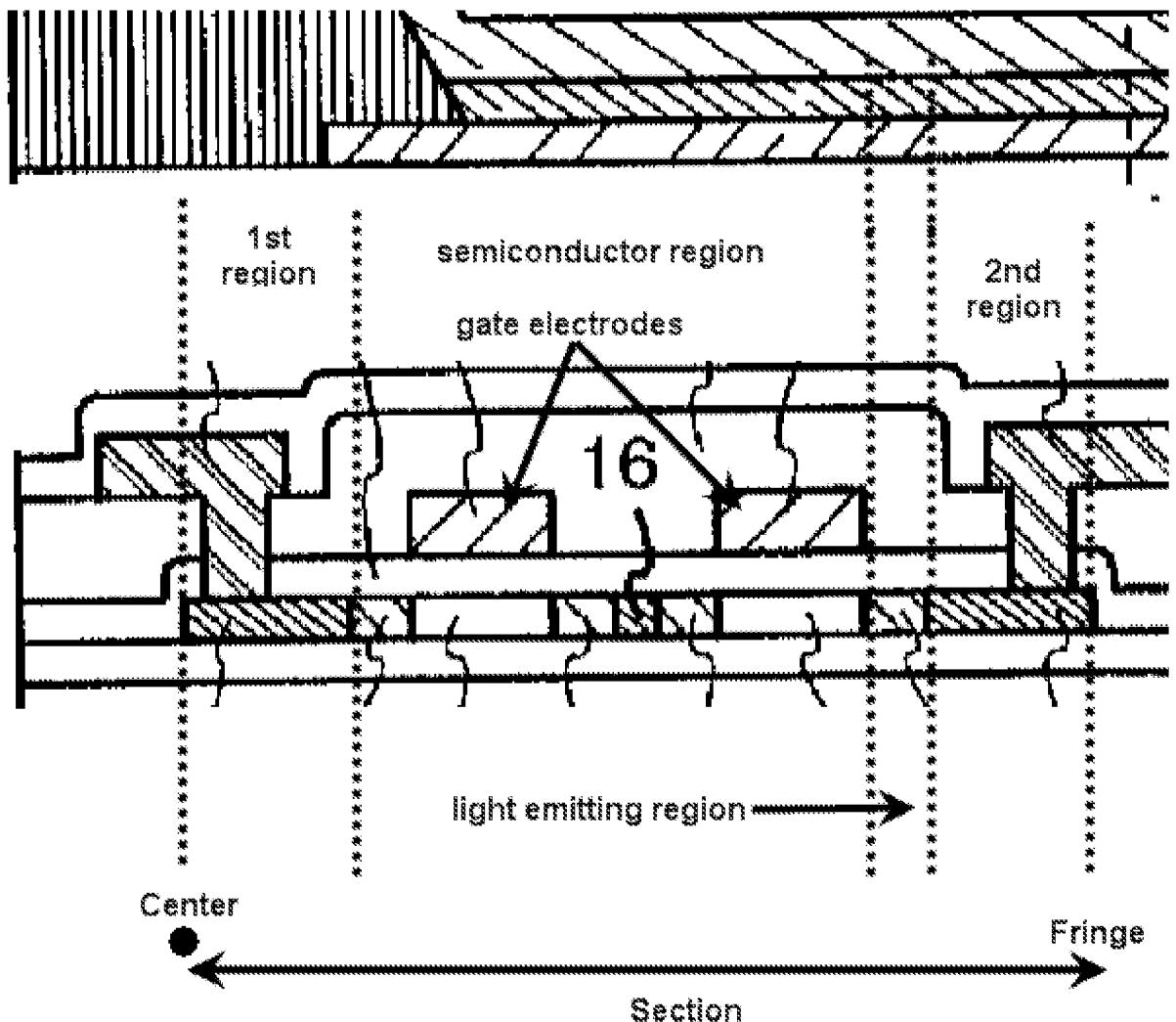
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 42-50 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. PG Publication 2001/0026125 A1 to Yamazaki et al.

In regard to claim 42, Yamazaki discloses in figure 6 a linear light-emitting element, comprising:

a first region, a semiconductor region, a light-emitting region, and a second region arranged from nearly a center to a fringe of a section, wherein in the semiconductor region, a plurality of gate electrodes are arranged in a shape of an island and a nearly concentric circle.



The gate electrodes are in an island shape and share the same center and define the edge of a concentric circle.

In regard to claim 43, Yamazaki discloses the limitations of claim 42 and that the first region is a source region (source region 13, paragraph 83), and the second region is a drain region (drain region 14, paragraph 83).

In regard to claim 44, Yamazaki discloses the limitations of claim 43 and that the linear light-emitting element is comprised from a plurality of element regions in which predetermined lengths of the same section are formed in a longitudinal direction (each element region (discussed in regard to claim 42) have a predetermined length for each section formed in a longitudinal direction (the sections have a length and width so are formed in a longitudinal direction regardless of axial direction assigned to the word “longitudinal”)).

In regard to claim 45, Yamazaki discloses in figure 6 a linear light-emitting element, comprising:

a first region, a semiconductor region, a light-emitting region, and a second region arranged from nearly a center to a fringe of a section, wherein in the semiconductor region, a plurality of gate electrodes are arranged in a shape of an island and a nearly concentric circle and the center region is comprised from a conductive region (referring to the figure provided above, the center is the edge of the first region, which is conductive).

In regard to claim 46, Yamazaki discloses the limitations of claim 45 and that the first region is a source region (source region 13, paragraph 83), and the second region is a drain region (drain region 14, paragraph 83).

In regard to claim 47, Yamazaki discloses the limitations of claim 46 and that the linear light-emitting element is comprised from a plurality of element regions in which predetermined

lengths of the same section are formed in a longitudinal direction (each element region (discussed in regard to claim 42) have a predetermined length for each section formed in a longitudinal direction (the sections have a length and width so are formed in a longitudinal direction regardless of axial direction assigned to the word “longitudinal”)).

In regard to claim 48, Yamazaki discloses in figure 6 a linear light-emitting element, comprising:

a first region, a semiconductor region, a plurality of light-emitting regions (the above designated light emitting region can be divided into three regions creating a plurality), and a second region arranged from nearly a center to a fringe of a section,

wherein in the semiconductor region, a plurality of gate electrodes are arranged in a shape of an island and a nearly concentric circle and (please refer to the figure provided above in regard to claim 42).

Applicant is respectfully reminded that while features of an apparatus may be recited either structurally or functionally, claims directed to an apparatus must be distinguished from the prior art in terms of structure rather than function. The clause in claim 48, “a light emitting intensity of each light emitting region is controlled by a voltage supplied to each gate electrode which is arranged between the nearly center and corresponding light emitting region” does not structurally distinguish the apparatus from the prior art. See also MPEP §2114.

In regard to claim 49, Yamazaki discloses the limitations of claim 48 and that the first region is a source region (source region 13, paragraph 83), and the second region is a drain region (drain region 14, paragraph 83).

In regard to claim 50, Yamazaki discloses the limitations of claim 48 and that an element region in which the same sections are formed in the longitudinal direction is formed continuously or intermittently (the TFT section will be formed intermittently throughout the device).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 51-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. PG Publication 2001/0026125 A1 to Yamazaki et al. as applied to claims 49 and 50 above and further in view of U.S. PG publication 2003/0170491 A1 to Liao et al.

In regard to claims 51 and 52, Yamazaki discloses the limitations of claim 49 and 50 when the above mentioned light emitting region is divided into a plurality of light emitting regions. Yamazaki does not disclose that this plurality of light emitting regions comprised a red light emitting region, a green light emitting region, and a blue light emitting region.

Liao teaches an organic EL device wherein red, green, and blue light emitting regions are stacked on one another to create a white light emission (shown in figure 7).

At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamazaki and Liao before him or her, to modify the light emitting regions of Yamazaki to comprise red, green, and blue light emitting regions as taught by Liao in order to/for the purpose of producing a white emission device that can be used as a back light.

In regard to claim 53, Yamazaki discloses in figure 6 a linear light-emitting element, comprising:

a first region, a semiconductor region, a light-emitting region, and a second region arranged from nearly a center to a fringe of a section,

wherein in the semiconductor region, a plurality of gate electrodes are arranged in a shape of an island and a nearly concentric circle (see above included figure).

Applicant is respectfully reminded that while features of an apparatus may be recited either structurally or functionally, claims directed to an apparatus must be distinguished from the prior art in terms of structure rather than function. The clause in claim 48, “a light emitting intensity of each light emitting region is controlled by a voltage supplied to each gate electrode which is arranged between the nearly center and corresponding light emitting region” does not structurally distinguish the apparatus from the prior art. See also MPEP §2114.

Yamazaki does not teach the use of color filters arranged at a circumference of the second region.

Liao teaches a white emission device as discussed above in regard to claims 51 and 52, and that the use of filters to filter the white light emission to red, blue, and green light emission (paragraph 73). The filter is provided between the light emission source and the viewer. This filter would be provided on the emission layers and therefore on the circumference (edge) of the second region designated in the above included figure.

At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamazaki and Liao before him or her, to modify the light emitting element of Yamazaki to comprise color filters as taught by Liao in order to/for the purpose of having light emission of every primary color without the need for separate emission elements for each color.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary Snyder whose telephone number is (571)270-5291. The examiner can normally be reached on Monday through Thursday, 7:30AM to 6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Toan Ton can be reached on (571)272-2303. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Zachary Snyder/
Examiner, Art Unit 2889

/Toan Ton/
Supervisory Patent Examiner, Art Unit 2889